
Workplace Health & Safety

Working Alone
October 2000

New Working Alone Regulation — Questions and Answers

1. What new things must employers do to comply with the regulation?

If an employer has employees who work alone, the employer must:

- conduct a hazard assessment to determine the hazards associated with working alone
- implement safety measures to reduce the risk to employees from the hazards they identify, and
- ensure that employees have an effective way of communicating with their employer, immediate supervisor or another designated person in case of an emergency situation.

2. Does the regulation apply to all employees and employers?

The regulation applies to all employees and employers under the Occupational Health and Safety Act. Not included are those regulated under federal legislation, employees working in their own private dwellings and employees involved in farming and ranching.

3. Do employers need to have both a hazard assessment and a communication system in all working alone situations?

Yes, a hazard assessment and a communication system are required in all cases. You can not, through your safety assessment, decide that a communication system is not required. However, you only need to complete a hazard assessment once to cover a particular type of work and there is considerable flexibility in how you establish a communication system. Employers only need to revisit and update their hazard assessment if working conditions or circumstances change.

If for instance, your employee sells vacuum cleaners door-to-door, you only need to conduct a hazard assessment once to cover the hazards generically rather than for each new house the employee visits. You could also implement a communication system whereby the employee calls into the office periodically instead of equipping each employee with a cellular phone.

4. Does the regulation mean that employers have to provide employees, who travel on the road a lot, with cellular phones to meet the communication requirements?

No, depending on results of the hazard assessment, there are options other than providing cellular phones to employees. Some examples are periodic call-ins to the office from a regular phone, scheduling check-in points with other employees or reporting back to the office at the end of the task.

5. Do employers have to complete a hazard assessment for each employee who meets clients alone at their worksites, or do they have to conduct a new hazard assessment every time this worker enters a new worksite?

No, hazard assessments are only required for each different set of working conditions. For instance, a taxi company could complete one hazard assessment to cover all their employees and the typical situations they encounter rather than doing one for each of their drivers.

6. If an employee works with others from different companies or with members of the public, does the regulation still apply?

The regulation defines “to work alone” to mean “work alone at a worksite in circumstances where assistance is not readily available in the event of an injury, illness or emergency”.

In determining whether an employer has employees who meet this definition, the employer must first assess whether there are likely to be situations where assistance is not readily available. If for instance, an employee was the sole employee at XYZ Burgers in a mall food court, they would not meet this definition because other employees (from neighboring food outlets) would always be available to provide or summon assistance. Conversely, the sole employee in a stand alone food outlet would meet the definition because an employee, seriously injured in a confrontation with a customer, would have no means of obtaining assistance.

7. How will Human Resources and Employment, Workplace Health and Safety ensure if employers have conducted hazard assessments?

We will include this regulatory requirement on the client contact report we use to inspect worksites. Compliance with this regulation will be checked during the normal course of all our inspections. The department targets companies with a poor history of health and safety performance for inspection. The department also responds to all complaints when cases of non-compliance have been identified. Officers ask employers to remedy the situation voluntarily within a specific timeframe.

Employers who fail to comply voluntarily will be issued compliance orders and may be prosecuted for non-compliance with the Occupational Health and Safety Act.

8. The regulation says that the employer will conduct a hazard assessment within 90 days of the regulation coming into force. Does the regulation come into force as soon as the Order-in-Council is signed?

For all practicable purposes yes, the regulation comes into effect as soon as the Order-in-Council is signed. However, we will allow employers until April

30, 2001 as a “grace” period whereby we will not write any compliance orders or recommend prosecution. Instead we simply notify the employer about their need to comply and hand out the best practices handbook. After this grace period, the procedure will be identical except that we will ask them to comply within a specific timeframe. If the employer fails to comply within the specified timeframe, compliance orders will be written.

9. Why have you not considered making it mandatory for employers to have two employees working together ?

The Review Task Force did consider making it mandatory for employers to have at least two employees at all worksites. However, in their search for a practicable, effective and enforceable regulation, they found that having two employees may not always be practicable or effective in protecting employees. Instead, they preferred to give employers some flexibility in determining which was the best way to protect employees. The approach we have taken here in Alberta is similar to the four other provinces that regulate working alone (i.e. Manitoba, Saskatchewan, British Columbia and New Brunswick). No jurisdiction in Canada prohibits working alone.

10. How many employers have employees who work alone?

Almost every one of Alberta’s employers will have employees who, for some reason or other, will need to work alone. Under the new regulation, employers will need to assess these situations and control the hazards associated with working alone.

11. How does the Working Alone Regulation compare to other jurisdictions in Canada?

Only four other jurisdictions in Canada (Manitoba, Saskatchewan, British Columbia, and New Brunswick) regulate working alone. All use a regulatory approach very similar to the one we have adopted here in Alberta. They all require employers to conduct a hazard assessment and to develop controls to reduce the risks associated with the hazards they identify.

12. *Can an employee refuse to work alone?*

The Occupational Health and Safety (OHS) Act requires employees to refuse work that poses an “imminent danger”. The Act defines this type of danger as:

“(a) a danger which is not normal for that occupation or

(b) a danger under which a person engaged in that occupation would not normally carry out his work”.

If the employee’s job normally requires them to work alone, they would not be in “imminent danger” and could not refuse work. However, if an employee was re-assigned to a new task which required them to work alone and no training was provided on how to minimize the hazards associated with that work, an imminent danger, as defined by the OHS Act, would exist and refusal to work would be warranted.

13. *Who can conduct a hazard assessment?*

There are no specific training or qualification requirements specified in the regulation. The department has also recently published a handbook “Working Alone Safely – A Guide for Employers and Employees” to help those unfamiliar with the process of conducting an assessment. This publication is available by calling (780) 427-8848 or (403) 297-2222. The regulation requires employers to have employees participate in conducting the hazard assessment and in the elimination or control of hazards if practicable.

14. *Are employees entitled to know the results of a hazard assessment?*

Yes, the regulation requires that the assessment be communicated to all affected employees. The regulation also requires employers to have employees participate in conducting the hazard assessment and in the elimination or control of identified hazards if practicable. Employees who work alone must also be trained in any procedures or practices developed to protect them from the hazards identified in the assessment.

15. *If employees are concerned about having to work alone, what can they do?*

In addition to conducting inspections of workplaces, Occupational Health and Safety Officers respond to all complaints where a violation of the Occupational Health and Safety Act or regulations is suspected. Employees can make a complaint by calling (780) 427-8848 or (403) 297-2222.

16. *How much will the regulation cost employers to implement?*

The handbook prepared by the Ministers' Committee on Best Practices - Working Alone entitled "Working Alone Safely – A Guide for Employers and Employees" was developed, in part, to enable employers to conduct their own hazard assessments without the necessity of hiring a consultant.

The controls and strategies the employer chooses to implement are entirely up to them to select. The cost of these controls will vary from worksite to worksite depending on the choices of the employer and the hazards to be controlled. For instance, an employer may decide that some high hazard work alone may require cellular phones for all employees who do this work and periodic checks by a supervisor. Another work site, where the worker only does low hazard administrative work, the employer could decide to have them call in to the central office once or twice a day.

For more information about workplace safety or safe work practices, contact the Alberta Human Resources and Employment, Workplace Health and Safety Call Centre by dialling toll-free:



1-866-415-8690

Deaf or hearing impaired call:

➤ Edmonton (780) 427-9999 Other locations 1-800-232-7215

For more publications, visit our web site at: www.whs.gov.ab.ca

To obtain copies of the Alberta Occupational Health and Safety Act and Regulations, view and download them from our web site or contact the Queen's Printer by dialling toll-free 310-0000 and one of the numbers listed below:

➤ Edmonton.....(780) 427-4952 Calgary.....(403) 297-6251